

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1–61 will be pending. By this amendment, claims 1, 7, 26, 32, 38, 44, 50 and 51 have been amended and claims 52–61 have been added. No new matter has been added.

§102 Rejection of Claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51

In Section 2 of the Office Action, claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51 stand rejected under 35 U.S.C. §102(e) as being anticipated by Elzur (U.S. Patent No. 6,621,893).

It was disclosed in the Specification that “[t]he present invention provides methods and apparatus implementing a telephony terminal for connecting a telephone to a data network.” *Specification, page 3, lines 12 to 13.* (emphasis added) “The terminal provides an interface between the telephone and the broadband modem so that the telephone can send and receive voice information through the data network and can access data services through the data network.” *Specification, page 3, lines 15 to 18.* (emphasis added) Further, the disclosed telephony terminal is such that “a wireless carrier can provide the terminal to consumers. The consumer can connect a typical phone ... to the terminal. Through the functionality of the terminal, the consumer can access high-speed data connection services.” *Specification, page 4, lines 12 to 16.* (emphasis added) Moreover, the telephony terminal “provides advanced services supported by the connected telephone.” *Specification, page 6, lines 29 to 30.* (emphasis added) That is, “the advanced services include ... browser service 345 and ... e-mail service 350.”

Specification, page 7, lines 4 to 5. (emphasis added) “For data, the telephone presents the data to the user through the user interface of the telephone (e.g., through a speaker or display).”

Specification, page 9, lines 3 to 5. (emphasis added)

Therefore, in one implementation, the telephony system enables a wireless carrier to provide customers with a telephony terminal which can provide internet services to the user interface of the customer’s telephone. For example, system claim 1 as presented herein includes:

A telephony system including a telephony terminal, said telephony terminal comprising:

a phone connection for connecting a telephone, said telephone including a user interface;

a network connection for connecting to a network; and

a controller connected to said phone connection and to said network connection,

wherein said controller provides a phone service for processing information for said phone connection,

wherein said controller provides a network service for processing information for said network connection, and

wherein said controller provides a network voice service for converting information to and from a network voice format;

wherein when said telephone is coupled to said telephony terminal using said phone connection, said telephone provides internet services using said user interface.

Accordingly, aspects of claim 1 comprise at least a *telephony system* including a telephony terminal, where the telephony terminal comprises *a phone connection* for connecting a telephone that includes a user interface, and wherein when a telephone is coupled to the

telephony terminal using the phone connection, the telephone provides internet services using the user interface of the telephone.

In contrast, Elzur discloses that a “telephone system 160 may be connected to the computer telephony integration adapter via a telephony interface 150.” *Elzur, column 1, lines 64 to 66*. Elzur does not teach or suggest, however, a telephony system that includes a telephony terminal wherein when a telephone is coupled to the telephony terminal using a phone connection, the telephone provides internet services using the user interface of the telephone. Because Elzur does not disclose these limitations, Elzur therefore fails to address all the limitations of claim 1.

Based on the foregoing discussion, claim 1 should therefore be allowable over Elzur. Since independent claims 26, 38, and 50–51 parallel claim 1 and recite similar limitations as recited therein, claims 26, 38, and 50–51 should also be allowable over Elzur. Further, since claims 2–4, 8, 10, 12–13, 27–29, 33, 36, 39–41, 45 and 48 depend from one of independent claims 1, 26, and 38, claims 2–4, 8, 10, 12–13, 27–29, 33, 36, 39–41, 45 and 48 should also be allowable over Elzur.

Accordingly, it is respectfully submitted that the rejection of claims 1–4, 8, 10, 12–13, 26–29, 33, 36, 38–41, 45, 48 and 50–51 based upon 35 U.S.C. §102(e) has been overcome by the present remarks and withdrawal thereof is requested.

§103 Rejection of Claims 5, 16–19, 22–23, 30, 34, 42 and 46

In Section 4 of the Office Action, claims 5, 16–19, 22–23, 30, 34, 42 and 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Sherlock *et al.* (U.S. Patent No. 6,882,709; hereinafter referred to as “Sherlock”).

Based on the foregoing discussion regarding independent claims 1, 26, and 38, and since claims 5, 16–19, 22–23, 30, 34, 42 and 46 depend from one of independent claims 1, 26, and 38, claims 5, 16–19, 22–23, 30, 34, 42 and 46 should be allowable over Elzur. Sherlock was cited merely for disclosing provisions for enhanced telephony services over a broadband network and a system for managing various enhanced telephony service offerings such as personal telephone directories and organization of incoming/outgoing voice mail, email and faxes. Therefore, since claims 5, 16–19, 22–23, 30, 34, 42 and 46 should be allowable over Elzur as discussed above, Elzur and Sherlock, individually or in combination, fail to teach or suggest all the limitations of claims 5, 16–19, 22–23, 30, 34, 42 and 46.

Accordingly, it is submitted that the rejection of claims 5, 16–19, 22–23, 30, 34, 42 and 46 based upon 35 U.S.C. §103(a) have been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49

In Section 5 of the Office Action, claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Cheah *et al.* (U.S. Patent No. 6,901,271; hereinafter referred to as “Cheah”).

Based on the foregoing discussion regarding independent claims 1, 26, and 38, and since claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 depend from one of independent claims 1, 26, and 38, claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 should be allowable over Elzur. Cheah was cited merely for disclosing a CDMA network connection and a wireless terminal connected to a network, and sending and receiving information. Therefore, since claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 should be allowable over Elzur as discussed above, Elzur and Cheah,

individually or in combination, fail to teach or suggest all the limitations of claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49.

Accordingly, it is submitted that the rejection of claims 6–7, 9, 24–25, 31–32, 37, 43–44 and 49 based upon 35 U.S.C. §103(a) have been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 11

In Section 6 of the Office Action, claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Laity *et al.* (U.S. Patent No. 6,697,892; hereinafter referred to as “Laity”).

Based on the foregoing discussion regarding independent claim 1, and since claim 11 depends from independent claim 1, claim 11 should be allowable over Elzur. Laity was cited merely for disclosing a USB peripheral connection. Therefore, since claim 11 should be allowable over Elzur as discussed above, Elzur and Laity, individually or in combination, fail to teach or suggest all the limitations of claim 11.

Accordingly, it is submitted that the rejection of claim 11 based upon 35 U.S.C. §103(a) have been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 14–15, 35 and 47

In Section 7 of the Office Action, claims 14–15, 35 and 47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Tidwell *et al.* (U.S. Patent No. 6,535,590; hereinafter referred to as “Tidwell”).

Based on the foregoing discussion regarding independent claims 1, 26, and 38, and since

claims 14–15, 35 and 47 depend from one of independent claims 1, 26, and 38, claims 14–15, 35 and 47 should be allowable over Elzur. Tidwell was cited merely for disclosing a “a telephony system which may include a television or similar display devices, an interface device operable to transmit command signals, and processing unit connect able to the TV and a telephone network which provides for the receipt, processing, transmission and display of information.” *Tidwell, column 1, lines 43–48*. Therefore, since claims 14–15, 35 and 47 should be allowable over Elzur as discussed above, Elzur and Tidwell, individually or in combination, fail to teach or suggest all the limitations of claims 14–15, 35 and 47.

Accordingly, it is submitted that the rejection of claims 14–15, 35 and 47 based upon 35 U.S.C. §103(a) have been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 20–21

In Section 8 of the Office Action, claims 20–21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Elzur in view of Reed *et al.* (U.S. Patent No. 6,275,707; hereinafter referred to as “Reed”).

Based on the foregoing discussion regarding independent claim 1, and since claims 20–21 depend from independent claim 1, claims 20–21 should be allowable over Elzur. Reed was cited merely for disclosing a method and apparatus for assigning location estimates using precision differential GPS. Therefore, since claims 20–21 should be allowable over Elzur as discussed above, Elzur and Reed, individually or in combination, fail to teach or suggest all the limitations of claims 20–21.

Accordingly, it is submitted that the rejection of claims 20–21 based upon 35 U.S.C.

§103(a) have been overcome by the present remarks and withdrawal thereof is respectfully requested.

New Claims 52–61

Claims 52–61 are newly presented by this amendment. Claims 52 and 53 are system claims depending from independent claim 1 and recite limitations similar to those thereto. Claims 54 and 55 are method claims depending from independent claim 26 and recite limitations similar to those thereto. Claims 56 and 57 are method claims depending from independent claim 38 and recite limitations similar to those thereto. Claims 58 and 59 are system claims depending from independent claim 50 and recite limitations similar to those thereto. Claims 60 and 61 are system claims depending from independent claim 51 and recite limitations similar to those thereto. Based on the foregoing discussions regarding independent claims 1, 26, 38, 50 and 51, claims 52–61 should therefore also be allowable over the cited prior references.

Conclusion

In view of the foregoing, entry of this amendment and the allowance of this application with claims 1–61 are respectfully solicited.

With regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes

were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

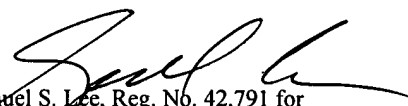
In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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